

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRISTIAN STOKES,

Plaintiff,

-against-

RONALD LUSKER, MARILYN KOCHER LUSKER,
EBERT & ASSOCIATES, STEVEN EBERT, ESQ.,
ANDREWS BUILDING CORP., MALLEY GROUP,
ERIC MALLEY, 85-87 MERCER STREET
ASSOCIATES, INC.,

Defendants
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Index No.: 08 CV 3667
(CM) (DFE)

NOTICE OF MOTION

PLEASE TAKE NOTICE, that upon the affirmation of Bryan J. Mazzola, sworn to on July 30, 2008, the exhibits annexed thereto, the accompanying memorandum of law, and upon all of the pleadings and proceedings heretofore had herein, defendants Andrews Building Corp. and 85-87 Mercer Street Associates, Inc., (the "Cooperative Defendants"), will move this Court, before the Hon. Colleen McMahon, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, on a time and date to be determined by the Court, for an order, pursuant to FRCP 12(c), granting judgment on the pleadings dismissing the complaint in its entirety as against the Cooperative Defendants and granting further relief as to this Court may seem just, proper and equitable.

Dated: New York, New York
July 30, 2008

CANTOR, EPSTEIN & MAZZOLA, LLP
Attorneys for the Cooperative Defendants

By: /S/ Bryan J. Mazzola
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